

**Nebraska County Attorneys Standards Advisory Council**  
**April 7, 2006**

The Nebraska County Attorneys Standards Advisory Council of the Nebraska Commission on Law Enforcement and Criminal Justice met Friday, April 7, 2006 at 12:30 p.m. in the Nebraska State Office Building, 301 Centennial Mall South, conference room 6Y, Lincoln, Nebraska. Legal notice of the meeting was published March 24, 2006 in the Lincoln Journal Star.

**Call to Order**

The meeting was called to order at 12:35 p.m. In attendance were: Stuart Dornan, Dan Giittinger, Ron Jorgenson, W. Bert Lammler and Elizabeth Waterman. Absent: Joe Kelly and Alicia Henderson. Staff present: Michael Behm and Sarah Schoen.

**Selection of Chair**

*Motion*

*A motion was made by acclamation to retain Elizabeth Waterman as chair for another year. Motion passed unanimously by acclamation.*

**Approval of Minutes**

*Motion*

*A motion was made by Giittinger and seconded by Waterman to approve the minutes of the April 15, 2005 meeting. Motion passed unanimously by acclamation.*

**NEW BUSINESS**

**Resignations and Appointments to and from Council**

Alicia Henderson has submitted her letter of resignation as she is no longer a law professor. The Governor's office is in the process of appointing law professor, Martin Gardner from the University of Nebraska-Lincoln to replace Alicia on the council.

### **Carry Forward of Continuing Legal Education Hours due to Catastrophic Illness**

A letter was received on April 4, 2006 from Carolyn Rothery, Deputy County Attorney for Sarpy County. In this letter, she stated her husband is fighting cancer that was diagnosed in December, 2005. Due to his illness, she is finding it very difficult to plan to attend trainings to meet her 2006 Continuing Legal Education hours. The letter also stated she attended a week long seminar the first week of December, 2005 that she did not claim for her 2005 CLE credits. This training was worth 19.67 CLE credits. She is requesting we carry forward her hours from this seminar so they will count towards her 2006 CLE requirements due to her husbands' catastrophic illness.

#### *Motion*

*A motion was made by Jorgenson and seconded by Dornan to recommend to the Crime Commission that 19.67 hours from the training in December, 2005 be carried forward to count towards Carolyn Rothery's 2006 Continuing Legal Education credits due to her husbands' catastrophic illness. Motion carried unanimously by acclamation.*

### **Compliance with 2005 Continuing Legal Education Requirements**

Waterman brought to the table the results of last years' recommendations to the Crime Commission for those out of compliance. She questioned if everything was completed as stated in last years' minutes. Sarah said she would check and let everyone know.

The Council reviewed a listing of twenty-three county or deputy county attorneys who did not meet the continuing legal education requirements for the year 2005. Twenty-three of the attorneys had requested waivers of the requirements which would allow the hours to be added to their training requirements for 2006.

#### *Motion*

*A motion was made by Lammler and seconded by Güttinger to recommend to the Crime Commission that a waiver be granted to Charles Hamilton, Adams County, for 2 hours crimes against children training; Steve Sunde, Cass County, for 14.5 hours of training; Robert Westadt, Colfax County, for .5 hours of training; Kim Watson, Dakota County, for 2 hours of training with 1 hour of radar training; Aimee Cizek, Douglas County, for .5 hours of training; Peter Garofalo, Douglas County, for 2.5 hours of training; William Ouren, Douglas County for 20 hours of training with 1 hour crimes against children training; Derek Vaughn, Douglas County, for 4.85 hours of training; Philip Pierce, Garden County, for 20 hours of training with 1 hour crimes against children training; Lynnett Wagner, Hall County, for 12 hours of training; Jack Zitterkopf, Hall County, for 1 hour crimes against children training; George Vinton, Hooker County, for 4.75 hours of training; Joseph Smith, Madison County, for 1 hour crimes against children training; Timothy Brouillette, McPherson County, for 1 hour crimes against children training; Ronald Colling, Polk County, for 4 hours of training; Stephanie Hansen, Sarpy County, for 1 hour crimes against children training; Michael Smith, Sarpy County, for 1 hour crimes against children training; Michael Smith, Sheridan County,*

*for 20 hours of training with 1 hour crimes against children training; John Skavdahl, Sioux County, for 4 hours of training for 2004 and 20 hours of training with 1 hour crimes against children training for 2005; Jennie Dugan-Hinrichs, US Attorney (Douglas County), for 9.75 hours with 1 hour crimes against children training; John Higgins, US Attorney (Dawson County), for 1 hour crimes against children training; Thomas Kangior, US Attorney (Douglas County), for 10 hours of training with 1 hour crimes against children training. Stuart Dornan abstained from the vote due to several of his employees requesting waivers. Those voting in favor of the motion are Güttinger, Jorgenson, Lammler, and Waterman. Motion carried.*

#### **Motion**

*A motion was made by Lammler and seconded by Jorgenson to recommend to the Crime Commission that a waiver be granted to Kurt McBride, Dawson County, for 1.5 hours of training. Elizabeth Waterman abstained from the vote due to McBride being her Chief Deputy Attorney. Those voting in favor of the motion are Dornan, Güttinger, Jorgenson, and Lammler. Motion carried.*

All county and deputy county attorneys who have submitted written requests for waivers will be forwarded to the Crime Commission and may be granted an additional year to make up the hours.

#### **Future Meetings of Council**

The next regularly scheduled meeting of the Council will be held on **Friday, April 6, 2007 at 12:30 p.m.**

#### **Adjournment**

There being no further business, the meeting adjourned at 12:53 p.m.

Respectfully submitted,

Sarah Schoen